

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT DELAWARE

NCR CORPORATION,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 14-395-GMS
)	
DOCUMOTION RESEARCH, INC.,)	
)	JURY TRIAL DEMANDED
Defendant.)	

JOINT CLAIM CONSTRUCTION STATEMENT

Pursuant to the Court's Scheduling Order entered September 25, 2014 (D.I. 20), Plaintiff NCR Corporation ("NCR") and Defendant Documotion Research, Inc. ("DRI") jointly and respectfully submit this Joint Claim Construction Statement with attached Exhibits A and B.

Exhibit A identifies disputed claim terms and phrases, both parties' proposed construction for each term or phrase, and both parties' non-limiting identification of intrinsic evidence supporting their proposed constructions. Exhibit B identifies the agreed constructions for certain terms and phrases.

NCR and DRI reserve the right to rely on intrinsic evidence identified by the other party, all figures or other background context associated with the intrinsic citations identified by either party, and any additional intrinsic evidence needed to rebut intrinsic evidence identified by the other party.

Discovery in this matter is not yet complete. Both parties reserve the right to add or delete terms, phrases, or clauses based on, without limitation, further agreement between the parties, additional terms or constructions served or proposed by the other party, information learned in the course of meeting and conferring with the other party's counsel, information learned through the course of discovery or other means, the Court's orders, arguments made by

the other party, and any further changes or amendments to the parties' infringement, invalidity, or unenforceability theories. DRI reserves the right to challenge the validity of any claim based on indefiniteness of any term or phrase whether or not it is presented for claim construction herein.

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Exhibit A – Disputed Terms, Proposed Constructions, and Intrinsic Evidence

No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
1	<p>a plurality of discrete adhesive patches aligned and spaced apart longitudinally in a single column along a running axis of said web</p> <p>a plurality of noncontiguous adhesive patches aligned in and spaced longitudinally apart along a single column</p>	<p>'811 patent, 1</p> <p>'811 patent, 22</p>	Plain and ordinary meaning	Two or more patches of adhesive aligned and spaced apart in only one column, and not having another column of adhesive patches.	<p>'811 patent, Abstract.</p> <p>'811 patent, cols. 1:57-62; 2:9-20; 3:20-50; 4:5-45; 4:60 – 5:10; 5:26-67; Figs. 3-8.</p> <p>'811 patent prosecution history, 1-13-2006 Response to Office Action; 3-21-2006 Response to Office Action; 1-22-2007 Appeal Brief; 2-28-2009 Response to Office Action.</p>	<p>'811 patent, Abstract.</p> <p>'811 patent, cols. 1:57-62; 2:4-20; 3:9- 4: 54; 4:60 – 5:10; 5:26-67; 6:67; 7:17; 8:9; 8:26; 8:54; Figs. 1-8.</p> <p>'811 patent prosecution history, 3-19-2004 patent application, 1-13-2006 Response to Office Action (NCR's Response to Non-Final Office Action); 3-21-2006 Response to Office Action (Second Amendment); 5-22-2006 Response to Office Action</p>

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
						(Third Amendment); 10-5-2006 Response to Office Action (Fourth Amendment); 1-22-2007 Appeal Brief; 2-28-2009 (Fifth Amendment) Response to Office Action; 5-8-2009 Final Rejection; 7-8-2009 Reply to Final Action; dictionary definition of "single.".
2	single column ... in a minor area of said back surface	'811 patent, 1	Single column...in an area comprising less than half (i.e. less than 50%) of the back surface	The column of adhesive is located in an area that is less than one side of the longitudinal center line of the web's back surface.	'811 patent, Abstract. '811 patent, cols. 1:57-62; 2:9-20; 3:20-50; 4:5-45; 4:60 – 5:10; 5:26-67; Figs. 3-8. '811 patent prosecution	'811 patent, Abstract. '811 patent, cols. 1:57-62; 2:4-20; 3:9- 4:54; 4:60 – 5:10; 5:26-67; 6:36; 6:67; 7:17; 8:9; 8:26; 8:54-56; 9:15; 9:47; 10:37; Figs. 1-8.

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
					history, 1-13-2006 Response to Office Action; 3-21-2006 Response to Office Action; 1-22-2007 Appeal Brief; 2-28-2009 Response to Office Action.	'811 patent prosecution history, 3-19-2004 patent application, 1-13-2006 Response to Office Action (NCR's Response to Non-Final Office Action); 3-21-2006 Response to Office Action (Second Amendment); 5-22-2006 Response to Office Action (Third Amendment); 10-5-2006 Response to Office Action (Fourth Amendment); 1-22-2007 Appeal Brief; 2-28-2009 (Fifth Amendment)

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
						Response to Office Action; 5-8-2009 Final Rejection; 7-8-2009 Reply to Final Action; dictionary definitions of "single" and "minor."
3	with the remaining major area of said back surface being devoid of adhesive	'811 patent, 1	Areas of the back surface that are free of adhesive which add up to more than half (i.e. more than 50%) of the back surface	The web's back surface has an area that is more than one half of the back surface, opposite of the longitudinal center line from the minor area.	'811 patent, Abstract. '811 patent, cols. 1:57-62; 2:9-20; 3:20-50; 4:5-45; 4:60 – 5:10; 5:26-67; Figs. 3-8. '811 patent prosecution history, 1-13-2006 Response to Office Action; 3-21-2006 Response to Office Action; 1-22-2007 Appeal Brief; 2-28-2009 Response to Office Action.	'811 patent, Abstract. '811 patent, cols. 1:57-62; 2:4-20; 3:20- 4:54; 4:60 – 5:10; 5:26-67; 6:19-47; 6:53; 7:38; 8:22-43; 9:18; 9:34; 9:39; 9:44; 9:49; 9:61; 10:40; 10:55; Figs. 1-8. '811 patent prosecution history, 3-19-2004 patent application, 1-13-2006 Response to

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
						Non-Final Office Action); 3-21-2006 Response to Office Action (Second Amendment); 5-22-2006 Response to Office Action (Third Amendment); 10-5-2006 Response to Office Action (Fourth Amendment); 1-22-2007 Appeal Brief; 2-28-2009 (Fifth Amendment) Response to Office Action; 5-8-2009 Final Rejection; 7-8-2009 Reply to Final Action; dictionary definition of "major."
4	adhesive-free major area	'811 patent, 2	Areas of the back surface that are free of adhesive	Plain and ordinary meaning.	'811 patent, Abstract.	'811 patent, Abstract.

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			which add up to more than half (i.e. more than 50%) of the back surface		<p>'811 patent, cols. 1:57-62; 2:9-20; 3:20-50; 4:5-45; 4:60 – 5:10; 5:26-67; Figs. 3-8.</p> <p>'811 patent prosecution history, 1-13-2006 Response to Office Action; 3-21-2006 Response to Office Action; 1-22-2007 Appeal Brief; 2-28-2009 Response to Office Action.</p>	<p>'811 patent, cols. 1:57-62; 2:4-20; 3:20- 4:54; 4:60 – 5:10; 5:26-67; Figs. 1-8.</p> <p>'811 patent prosecution history, 3-19-2004 patent application, 1-13-2006 Response to Non-Final Office Action); 3-21-2006 Response to Office Action (Second Amendment); 5-22-2006 Response to Office Action (Third Amendment); 10-5-2006 Response to Office Action (Fourth Amendment); 1-22-2007 Appeal</p>

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
						Brief; 2-28-2009 (Fifth Amendment) Response to Office Action; 5-8-2009 Final Rejection; 7-8-2009 Reply to Final Action; dictionary definition of "major."
5	devoid of adhesive	'811 patent, 1	Plain and ordinary meaning	Utterly lacking or completely without adhesive.	'811 patent, Abstract. '811 patent, cols. 1:57-62; 2:9-20; 3:20-50; 4:5-45; 4:60 – 5:10; 5:26-67; Figs. 3-8. '811 patent prosecution history, 1-13-2006 Response to Office Action; 3-21-2006 Response to Office Action; 1-22-2007 Appeal Brief; 2-28-2009 Response to Office Action.	'811 patent, Abstract. '811 patent, cols. 1:57-62; 2:4-20; 3:20- 4: 54; 4:60 – 5:10; 5:26-67; Figs. 1-8. '811 patent prosecution history, 3-19-2004 patent application, 1-13-2006 Response to Non-Final Office Action); 3-21-2006 Response

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
						to Office Action (Second Amendment); 5-22-2006 Response to Office Action (Third Amendment); 10-5-2006 Response to Office Action (Fourth Amendment); 1-22-2007 Appeal Brief; 2-28-2009 (Fifth Amendment) Response to Office Action; 5-8-2009 Final Rejection; 7-8-2009 Reply to Final Action; dictionary definition of "devoid."
6	said labels extend transversely across said web in cantilever from said adhesive	'811 patent, 2	the labels extend from the adhesive patches such that the adhesive is biased more towards one lateral edge of the web than the other edge	Indefinite; alternatively, at least the portion of the web across the center-line from the single column is free from adhesive to allow the	'811 patent, Abstract. '811 patent, cols. 1:57-62; 2:4-20;	'811 patent, Abstract. '811 patent, cols. 1:57-62; 2:9-20;

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	column to permit hand grasping of said adhesive-free major area		from said adhesive column to permit hand grasping of said adhesive-free major area	label to be held without contacting adhesive.	3:20-50; 4:5-45; 4:60 – 5:10; 5:26-67; Figs. 1-8. '811 patent prosecution history, 2-28-2009 Response to Office Action.	3:20- 4:54; 4:60 – 5:10; 5:26-67; 6:35-39; 6:51;7:39; 8:27; 8:42; 8:63-64; 9:31-32; 9:40; 9:45; 9:61; 10:53; Figs. 1-8. '811 patent prosecution history, 3-19-2004 patent application, 1-13-2006 Response to Non-Final Office Action); 3-21-2006 Response to Office Action (Second Amendment); 5-22-2006 Response to Office Action (Third Amendment); 10-5-2006 Response to Office Action (Fourth

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						Amendment); 1-22-2007 Appeal Brief; 2-28-2009 (Fifth Amendment) Response to Office Action; 5-8-2009 Final Rejection; 7-8-2009 Reply to Final Action; dictionary definitions of “transverse” and “cantilever.”
7	reducing surface area exposure along said feedpath	'811 patent, 22	Having areas with and without adhesive to reduce surface area exposure	Indefinite; alternatively, the single column of adhesive patches is located on one side of the longitudinal center of the web surface, and the other side of the longitudinal center contains no adhesive.	'811 patent, Abstract. '811 patent, cols. 1:25-32; 1:44-54; 1:58-62; 2:6-20; 2:34-64; 3:32 – 4:4; 4:26-38; 5:39-67; Figs. 2-8. '811 patent prosecution history, 1-13-2006 Response to Office Action; 3-21-2006 Response to Office	'811 patent, Abstract. '811 patent, cols. 1:57-62; 2:4-20; 3:20- 4:54; 4:60 – 5:10; 5:26-67; 6:35-39; 6:51; 7:28-60; 8:23; 8:27-45; 8:59; 8:63-67; 9:3; 9:16-17; 9:31-32; 9:40; 9:45; 9:56-61; 10:22-25; 10:38-39; 10:53; Figs.

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					Action; 1-22-2007 Appeal Brief; 2-28-2009 Response to Office Action.	1-8. '811 patent prosecution history, 3-19-2004 patent application, 1-13-2006 Response to Non-Final Office Action); 3-21-2006 Response to Office Action (Second Amendment); 5-22-2006 Response to Office Action (Third Amendment); 10-5-2006 Response to Office Action (Fourth Amendment); 1-22-2007 Appeal Brief; 2-28-2009 (Fifth Amendment) Response to Office Action; 5-

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						8-2009 Final Rejection; 7-8-2009 Reply to Final Action.
8	an identically repeating series of differently sized adhesive patches ... aligned in a column along said web	'264 patent, 1	An identically repeating series of adhesive patches of different sizes relative to each other...aligned in a column along said web	Indefinite; alternatively, the adhesive patches within a single aligned column along the longitudinal axis of the web have a repeating pattern with at least two patches in that column having a different size from one another.	'264 patent, Abstract. '264 patent, cols. 2:1-7; 2:21-32; 4:10-39; 4:63 – 5:41; 5:65 – 6:63; 7:3 – 8:58; 8:64 – 9:3; Figs. 3-8. '264 patent prosecution history, 11-16-2006 Response to Office Action; 1-25-2010 Decision on Appeal.	'264 patent, Abstract. '264 patent, cols. 2:1-7; 2:16-32; 2:59-67; 4:10-54; 4:63 – 5:41; 5:65 – 6:63; 7:3 – 8:58; 8:64 – 9:3; 9:24; 9:34-36; 10:3-11; 10:49; Figs. 1-8. '264 patent prosecution history, 12-16-2004 patent application, 11-16-2006 Response to Office Action (Amendment); 1-19-2007 Non-Final Office Action; 2-15-2007 Appeal Brief; 5-10-2007

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
						Amended Appeal Brief; 9-5-2008 Board Decision; 11-3-2008 Patent Board Decision; 12-9-2008 Decision on Reconsideration; 3-11-2009 Appeal Brief – Second; 1-25-2010 Decision on Appeal; 2-12-2010 Examiner-Initiated Interview Summary; 4-5-2010 Examiner's Amendment; 5-12-2010 Amendment.
9	and differently sized adhesive free zones therebetween aligned in a column along said web	'264 patent, 1	And adhesive free zones of different sizes relative to each other between the adhesive patches aligned in a column along said web	Indefinite, alternatively, the adhesive patches aligned in the same column have at least two different distances of adhesive free spaces separating the patches in that column.	'264 patent, Abstract. '264 patent, cols. 2:1-7; 2:21-32; 4:10-39; 4:63 – 5:41; 5:65 – 6:63; 7:3 – 8:58; 8:64 – 9:3; Figs. 3-8.	'264 patent, Abstract. '264 patent, cols. 2:1-7; 2:16-32; 2:59-67; 4:10-54; 4:63 – 5:41; 5:65 – 6:63; 7:3 – 8:58; 8:64 – 9:3; 9:24; 9:34-36;

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
					'264 patent prosecution history, 11-16-2006 Response to Office Action; 1-25-2010 Decision on Appeal.	10:3-11; 10:49; Figs. 1-8. '264 patent prosecution history, 12-16-2004 patent application, 11-16-2006 Response to Office Action (Amendment); 1-19-2007 Non-Final Office Action; 2-15-2007 Appeal Brief; 5-10-2007 Amended Appeal Brief; 9-5-2008 Board Decision; 11-3-2008 Patent Board Decision; 12-9-2008 Decision on Reconsideration; 3-11-2009 Appeal Brief – Second; 1-25-2010 Decision on Appeal; 2-12-2010 Examiner-

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
						Initiated Interview Summary; 4-5-2010 Examiner's Amendment; 5-12-2010 Amendment.
10	said adhesive patches vary in width between leading and trailing edges thereof along said running axis	'264 patent, 2	<p>Plain and ordinary meaning</p> <p>Alternatively:</p> <p>the patches are not of uniform width between the leading and trailing edges thereof along said running axis</p>	Each adhesive patch has a leading edge that is different from the shape and/or size of the trailing edge of the adhesive patch such that one edge is wider than the other edge.	<p>'264 patent, Abstract.</p> <p>'264 patent, cols. 2:1-7; 2:21-32; 6:60 - 8:58; 8:64 – 9:3; Figs. 3-8.</p>	<p>'264 patent, Abstract.</p> <p>'264 patent, cols. 2:1-7; 2:16-32; 2:59-67; 4:10-54; 4:63 – 5:41; 5:65 – 8:58; 8:64 – 9:3; 9:13-17; 9:24; 9:34-36; 10:3-14; 10:28-43; 10:49; Figs. 1-8.</p> <p>'264 patent prosecution history, 12-16-2004 patent application, 11-16-2006 Response to Office Action (Amendment); 1-19-2007 Non-</p>

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
						Final Office Action; 2-15-2007 Appeal Brief; 5-10-2007 Amended Appeal Brief; 9-5-2008 Board Decision; 11-3-2008 Patent Board Decision; 12-9-2008 Decision on Reconsideration; 3-11-2009 Appeal Brief – Second; 1-25-2010 Decision on Appeal; 2-12-2010 Examiner-Initiated Interview Summary; 4-5-2010 Examiner's Amendment; 5-12-2010 Amendment.
11	index marks	'264 patent, 4	Marks or other indicator intended to be read by an optical or other sensor	Plain and ordinary meaning.	'264 patent, Abstract. '264 patent, cols. 2:1-7; 2:18-32; 3:9 – 4:9; 5:34-41;	'264 patent, Abstract. '264 patent, cols. 2:1-7; 2:16-32; 2:59-67; 3:9-

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
					6:16-35; 3:9 – 4:9; 5:34-41; 6:16-35; 8:59 – 9:3; Figs. 2-8.	4:54; 4:63 – 5:41; 5:65 – 6:63; 7:3 – 8:58; 8:64 – 9:3; 9:21-45; 9:53-10:11; 10:48-51; Figs. 1-8. '264 patent prosecution history, 12-16-2004 patent application, 11-16-2006 Response to Office Action (Amendment); 1-19-2007 Non-Final Office Action; 2-15-2007 Appeal Brief; 5-10-2007 Amended Appeal Brief; 9-5-2008 Board Decision; 11-3-2008 Patent Board Decision; 12-9-2008 Decision on Reconsideration; 3-11-2009

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
						Appeal Brief – Second; 1-25-2010 Decision on Appeal; 2-12-2010 Examiner-Initiated Interview Summary; 4-5-2010 Examiner's Amendment; 5-12-2010 Amendment.
12	the adhesive layer is variably patterned	'184 patent, 1	patterned such that the cutting blade surface may come into contact with adhesive at different locations over time as the cutting blade makes repetitive cuts	Indefinite, alternatively, a wide web of media containing multiple, different patterns, or a single pattern that has a variable repeat length.	'184 patent, Abstract. '184 patent, cols. 1:14-41; 1:45-51; 2:56 – 5:20; 5:30-47; 6:22 – 7:61; 8:20-54; 9:19-25; 9:33-54; Figs. 1A-1H, 2, 3. '184 patent prosecution history, 9-19-2012 Office Action, 10-24-2012 Response to Office Action; 1-11-2013 Notice of Allowance.	'184 patent, Abstract. '184 patent, cols. 1:14-41; 1:45-60; 2:3 – 5:20; 5:30-47; 5:63-6:3; 6:22 – 7:61; 8:15-54; 9:11-25; 9:33-54; 11:7-30; Figs. 1A-1H, 2, 3. '184 patent prosecution history, 2-25-2010 patent application, 9-19-2012 Non-

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						Final Office Action, 10-24-2012 Response to Office Action (Amendment); 1-11-2013 Notice of Allowance.
13	to include areas with adhesive and areas without adhesive to vary locations of contact between the adhesive layer and a cutting mechanism making variably located lateral cuts across width of the substrate	'184 patent, 1	to include areas with adhesive and areas without adhesive to provide different transverse points of contact between the adhesive layer and a cutting mechanism making lateral cuts across the width of the substrate that occur at different locations relative to a repeat length of the adhesive pattern	Indefinite, alternatively, the pattern provides (1) at least some adhesive and some adhesive free areas at every widthwise cut by the cutting mechanism, and (2) each portion of the cutting mechanism that contacts an adhesive free area will contact adhesive when the location of the cutting mechanism is varied relative to the running axis of the substrate.	'184 patent, Abstract. '184 patent, cols. 1:14-41; 1:45-51; 2:56 – 5:20; 5:30-47; 6:22 – 7:61; 8:20-54; 9:19-25; 9:33-54; Figs. 1A-1H, 2, 3. '184 patent prosecution history, 9-19-2012 Office Action, 10-24-2012 Response to Office Action; 1-11-2013 Notice of Allowance.	'184 patent, Abstract. '184 patent, cols. 1:14-41; 1:45-60; 2:3 – 5:20; 5:30-47; 5:63-6:3; 6:22 – 7:61; 8:15-54; 9:11-25; 9:33-54; 11:7-30; Figs. 1A-1H, 2, 3. '184 patent prosecution history, 2-25-2010 patent application, 9-19-2012 Non-Final Office Action, 10-24-2012 Response to Office Action (Amendment); 1-

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
						11-2013 Notice of Allowance.
14	Variably located lateral cuts	'184 patent, 1	lateral cuts that occur at different locations relative to a repeat length of the adhesive pattern	lateral cuts that occur randomly along the running axis of the substrate over time	'184 patent, Abstract. '184 patent, cols. 1:14-41; 1:45-51; 2:56 – 5:20; 5:30-47; 6:22 – 7:61; 8:20-54; 9:19-25; 9:33-54; Figs. 1A-1H, 2, 3. '184 patent prosecution history, 9-19-2012 Office Action, 10-24-2012 Response to Office Action; 1-11-2013 Notice of Allowance.	'184 patent, Abstract. '184 patent, cols. 1:14-41; 1:45-60; 2:3 – 5:20; 5:30-47; 5:63-6:3; 6:22 – 7:61; 8:15-54; 9:11-25; 9:33-54; 11:7-30; Figs. 1A-1H, 2, 3. '184 patent prosecution history, 2-25-2010 patent application, 9-19-2012 Non-Final Office Action, 10-24-2012 Response to Office Action (Amendment); 1-11-2013 Notice of Allowance.
15	the areas without adhesive comprise	'184 patent, 3	Plain and ordinary meaning.	The adhesive layer in a wide web additionally contains vertical or	'184 patent, Abstract.	'184 patent, Abstract.

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	adhesive free lanes arranged vertically and/or horizontally within the adhesive layer			horizontal lanes that do not contain adhesive.	'184 patent, cols. 1:14-41; 1:45-51; 2:56 – 5:20; 5:30-47; 6:22 – 7:61; 8:20-54; 9:19-25; 9:33-54; Figs. 1A-1H, 2, 3. '184 patent prosecution history, 9-19-2012 Office Action, 10-24-2012 Response to Office Action; 1-11-2013 Notice of Allowance.	'184 patent, cols. 1:14-41; 1:45-60; 2:3 – 5:20; 5:30-47; 5:63-6:3; 6:22 – 7:61; 8:15-54; 9:11-25; 9:33-54; 11:7-30; Figs. 1A-1H, 2, 3. '184 patent prosecution history, 2-25-2010 patent application, 9-19-2012 Non-Final Office Action, 10-24-2012 Response to Office Action (Amendment); 1-11-2013 Notice of Allowance.
16	the areas with adhesive comprise elongated diamond shapes stretching vertically across the second side	'184 patent, 4	Plain and ordinary meaning.	The adhesive layer is made up of diamond-shaped patches that have been stretched along the top to bottom axis between the top and bottom points relative to the side-to-side points, or stretched along	'184 patent, Abstract. '184 patent, cols. 1:14-41; 1:45-51; 2:56 – 5:20; 5:30-47; 6:22 – 7:61; 8:20-54; 9:19-25;	'184 patent, Abstract. '184 patent, cols. 1:14-41; 1:45-60; 2:3 – 5:20; 5:30-47; 5:63-6:3; 6:22 – 7:61;

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
	the adhesive shape includes an elongated diamond shape	'190 patent, 9, 16		the side-to-side axis between the side points relative to the top and bottom points.	9:33-54; Figs. 1A-1H, 2, 3. '184 patent prosecution history, 9-19-2012 Office Action, 10-24-2012 Response to Office Action; 1-11-2013 Notice of Allowance.	8:15-54; 9:11-25; 9:33-54; 11:7-30; Figs. 1A-1H, 2, 3. '184 patent prosecution history, 2-25-2010 patent application, 9-19-2012 Non-Final Office Action, 10-24-2012 Response to Office Action (Amendment); 1-11-2013 Notice of Allowance.
17	Repeat length	'184 patent, 6	distance along the web in which the adhesive pattern is repeated	The shortest distance along the web that includes the repeated unit in the pattern.	'184 patent, Abstract. '184 patent, cols. 1:14-41; 1:45-51; 2:56 – 5:20; 5:30-47; 6:22 – 7:61; 8:20-54; 9:19-25; 9:33-54; Figs. 1A-1H, 2, 3. '184 patent prosecution	'184 patent, Abstract. '184 patent, cols. 1:14-41; 1:45-60; 2:3 – 5:20; 5:30-47; 5:63-6:3; 6:22 – 7:61; 8:15-54; 9:5-25; 9:33-54; 10:10-14; 11:7-30; Figs. 1A-1H, 2, 3.

Exhibit A – Disputed Terms, Proposed Constructions, and Intrinsic Evidence

No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
					history, 9-19-2012 Office Action, 10-24-2012 Response to Office Action; 1-11-2013 Notice of Allowance.	'184 patent prosecution history, 2-25-2010 patent application, 9-19-2012 Non-Final Office Action, 10-24-2012 Response to Office Action (Amendment); 1-11-2013 Notice of Allowance.
18	a label configured to be custom cut from the roll of the media by a thermal printer at custom lengths	'184 patent, 14	a label configured to be cut at different, specified locations from the roll of the media by a thermal printer at different, specified lengths	a label containing a continuous pattern of adhesive that is configured for the label to be cut at any location along the web to form a label of any length, and does not contain adhesive free spaces or index mark for cutting the media.	'184 patent, Abstract. '184 patent, cols. 1:14-41; 1:45-51; 2:24-38; 2:56 – 3:18; 3:39 – 4:30; 4:49 – 5:20; 6:22-64; 7:7 – 8:28; 8:41-61; 9:33-54; Figs. 1A-1H, 2, 3. '184 patent prosecution history, 9-19-2012 Office Action, 10-24-2012 Response	'184 patent, Abstract. '184 patent, cols. 1:14-41; 1:45-60; 2:3 – 5:20; 5:30-47; 5:63-6:3; 6:22 – 7:61; 8:15-54; 9:11-25; 9:33-54; 11:7-30; Figs. 1A-1H, 2, 3. '184 patent prosecution history, 2-25-2010 patent

Exhibit A – Disputed Terms, Proposed Constructions, and Intrinsic Evidence

No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
					to Office Action; 1-11-2013 Notice of Allowance.	application, 9-19-2012 Non-Final Office Action, 10-24-2012 Response to Office Action (Amendment); 1-11-2013 Notice of Allowance.
19	the front portion displaying information for a transaction	'184 patent, 14	Plain and ordinary meaning.	The label has been printed with information that is visually displayed.	'184 patent, Abstract. '184 patent, cols. 1:14-41; 1:65 – 2:5; 3:55 – 4:6; 4:49 – 5:14; 8:9-19; 9:5-11; 9:33-54.	'184 patent, Abstract. '184 patent, cols. 1:14-41; 1:45 – 5:20; 5:30-47; 5:63-6:3; 6:22 – 7:61; 8:15-54; 9:11-25; 9:33-54; 10:18-22; 10:29-36; 10:57-60; 11:7-30; Figs. 1A-1H, 2, 3. '184 patent prosecution history, 2-25-2010 patent application, 9-19-2012 Non-Final Office Action, 10-24-

Exhibit A – Disputed Terms, Proposed Constructions, and Intrinsic Evidence

No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
						2012 Response to Office Action (Amendment); 1-11-2013 Notice of Allowance.
20	pattern for adhesive material adhesive pattern	'190 patent, 1 4, 11	Configuration of adhesive wherein the web comprises a plurality of transverse areas with and without adhesive	Plain and ordinary meaning.	'190 patent, Abstract. '190 patent, cols. 1:19-50; 1:53-62; 2:64 – 5:23; 5:40 – 8:3; 8:29-63; 9:28-33; 9:41-62; Figs. 1A-1H, 2 – 4. '190 patent prosecution history, 10-8-2013 Response to Office Action; 12-13-2013 Notice of Allowance.	'190 patent, Abstract. '190 patent, cols. 1:19-50; 1:53-62; 2:64 – 5:23; 5:40 – 8:3; 8:29-63; 9:4-33; 9:41-62; Figs. 1A-1H, 2 – 4. '190 patent prosecution history, 3-15-13 patent application, 7-8-2013 Non-Final Office Action; 10-8-2013 Response to Office Action (Amendment Under 37 C.F.R. 1.111); 12-13-2013 Notice of Allowance.

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
21	repeat distance	'190 patent, 1, 4, 11	length along the web in which the adhesive pattern is repeated	The shortest distance along the web that includes the repeated unit in the pattern.	'190 patent, Abstract. '190 patent, cols. 1:19-50; 1:53-62; 2:64 – 3:13; 3:47 – 4:39; 4:58 – 5:29; 5:40-56; 6:31-59; 8:38-44; 8:50-63; 9:14-33; 9:41-62; Figs. 1A-1H, 2 – 4. '190 patent prosecution history, 10-8-2013 Response to Office Action; 12-13-2013 Notice of Allowance.	'190 patent, Abstract. '190 patent, cols. 1:19-50; 1:53-62; 2:64 – 5:23; 5:40 – 8:3; 8:29-63; 9:4-33; 9:41-62; Figs. 1A-1H, 2 – 4. '190 patent prosecution history, 3-15-13 patent application, 7-8-2013 Non-Final Office Action; 10-8-2013 Response to Office Action (Amendment Under 37 C.F.R. 1.111); 12-13-2013 Notice of Allowance.
22	providing the pattern and the repeat distance to a printing press or a coater	'190 patent, 1	Plain and ordinary meaning.	Electronically communicating the pattern and repeat distance to a printing press or coater.	190 patent, Abstract. '190 patent, cols. 1:19-50; 1:53-62;	'190 patent, Abstract. '190 patent, cols. 1:19-50; 1:53-62;

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
					2:4-63; 5:24-39; 7:62 – 8:3; 8:64 – 9:33; 9:41-62; Figs. 1A-1H, 2 – 4. '190 patent prosecution history, 10-8-2013 Response to Office Action; 12-13-2013 Notice of Allowance.	2:4-31; 2:47 – 5:23; 5:40 – 8:3; 8:29-63; 9:4-33; 9:41-62; Figs. 1A-1H, 2 – 4. '190 patent prosecution history, 3-15-13 patent application, 7-8-2013 Non-Final Office Action; 10-8-2013 Response to Office Action (Amendment Under 37 C.F.R. 1.111); 12-13-2013 Notice of Allowance.
23	providing the pattern and the repeat distance to a printing press or a coater, wherein the printing press or the coater (i) coats a first side of a web of media with thermally	'190 patent, 1	Plain and ordinary meaning.	The printing press or coater that receives the pattern and repeat distance is the same printing press or coater that conducts the coating steps.	190 patent, Abstract. '190 patent, cols. 1:19-50; 1:53-62; 2:4-63; 5:24-39; 7:62 – 8:3; 8:64 – 9:33; 9:41-62; Figs. 1A-1H, 2 – 4.	'190 patent, Abstract. '190 patent, cols. 1:19-50; 1:53-62; 2:4-31; 2:47 – 5:23; 5:40 – 8:3; 8:29-63; 9:4-33; 9:41-62; Figs. 1A-1H, 2 – 4.

Exhibit A – Disputed Terms, Proposed Constructions, and Intrinsic Evidence

No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
	sensitive inks				'190 patent prosecution history, 10-8-2013 Response to Office Action; 12-13-2013 Notice of Allowance.	'190 patent prosecution history, 3-15-13 patent application, 7-8-2013 Non-Final Office Action; 10-8-2013 Response to Office Action (Amendment Under 37 C.F.R. 1.111); 12-13-2013 Notice of Allowance.
24	to assist in reducing any buildup of adhesive material on a cutting mechanism when the cutting mechanism subsequently cuts laterally across the media web	'190 patent, 1	to have areas with and without adhesive to reduce any buildup of adhesive material on a cutting mechanism when the cutting mechanism subsequently cuts laterally across the media web	Indefinite, alternatively, the pattern provides (1) at least some adhesive and some adhesive free areas at every widthwise cut by the cutting mechanism, and (2) each portion of the cutting mechanism that contacts an adhesive free area will contact adhesive when the location of the cutting mechanism is varied relative to the running axis of the substrate.	'190 patent, Abstract. '190 patent, cols. 1:19-50; 1:53-62; 2:64 – 5:23; 5:40 – 8:3; 8:29-63; 9:28-33; 9:41-62; Figs. 1A-1H, 2 – 4. '190 patent prosecution history, 10-8-2013 Response to Office Action; 12-13-	'190 patent, Abstract. '190 patent, cols. 1:19-50; 1:53-62; 2:4-31; 2:47 – 5:23; 5:40 – 8:3; 8:29-63; 9:4-33; 9:41-62; Figs. 1A-1H, 2 – 4. '190 patent prosecution history, 3-15-13 patent

Exhibit A – Disputed Terms, Proposed Constructions, and Intrinsic Evidence

No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
					2013 Notice of Allowance.	application, 7-8-2013 Non-Final Office Action; 10-8-2013 Response to Office Action (Amendment Under 37 C.F.R. 1.111); 12-13-2013 Notice of Allowance.
25	is of a shape which assists in evenly distributing any buildup of adhesive material on a surface of a printer	'190 patent, 11	is of a shape which has areas with and without adhesive to approximately uniformly distribute over time any buildup of adhesive material on a surface of a printer	Indefinite, alternatively, the pattern provides (1) at least some adhesive and some adhesive free areas at every widthwise cut by the cutting mechanism, and (2) each portion of the cutting mechanism that contacts an adhesive free area will contact adhesive when the location of the cutting mechanism is varied relative to the running axis of the substrate.	'190 patent, Abstract. '190 patent, cols. 1:19-50; 1:53-62; 2:64 – 5:23; 5:40 – 8:3; 8:29-63; 9:28-33; 9:41-62; Figs. 1A-1H, 2 – 4. '190 patent prosecution history, 10-8-2013 Response to Office Action; 12-13-2013 Notice of Allowance.	'190 patent, Abstract. '190 patent, cols. 1:19-50; 1:53-62; 2:4-31; 2:47 – 5:23; 5:40 – 8:3; 8:29-63; 9:4-33; 9:41-62; Figs. 1A-1H, 2 – 4. '190 patent prosecution history, 3-15-13 patent application, 7-8-2013 Non-Final Office Action; 10-8-2013 Response to

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No.	Term / Phrase	Patent / Claims	NCR's Proposed Constructions	DRI's Proposed Constructions	NCR's Intrinsic Evidence	DRI's Intrinsic Evidence
						Office Action (Amendment Under 37 C.F.R. 1.111); 12-13-2013 Notice of Allowance.

Exhibit B – Agreed Terms and Constructions

Patent / Claim	Term	Agreed Construction
'264 patent, 3	arcuate	Curved; shaped like a bow